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EXAMINER

BEMBEN, RICHARD M

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/721,507	<b>Applicant(s)</b> OGURO, MASAKI	
	<b>Examiner</b> RICHARD M. BEMBEN	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 14-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 24-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 21 November 2006 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

2. The information disclosure statement filed 6 April 2007 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Election/Restrictions***

3. Applicant's election with traverse of Group 1, Claims 1-13 and 23-58 in the reply filed on 18 April 2008 is acknowledged. The traversal is on the ground(s) that the examiner did not satisfy the "serious burden" requirement in the restriction dated 21 February 2008. This is not found persuasive.

First, applicant argues that the serious burden requirement is not satisfied because the applicant submits that both subclasses cited in the Office Action will need

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to be searched for both Group 1 and Group 2. While it may be true that, for example, subclass 373 ("Support or housing") may need to be searched for both Group 1 and Group 2, the examiner would be searching for different structures, using different search queries. Examiner directs applicant to MPEP 808.02 [R-5]:

[...] A different field of search : Where it is necessary to search for one of the inventions in a manner that is not likely to result in finding art pertinent to the other invention(s) (e.g., searching different classes /subclasses or electronic resources, *or employing different search queries, a different field of search is shown, even though the two are classified together.* The indicated different field of search must in fact be pertinent to the type of subject matter covered by the claims. Patents need not be cited to show different fields of search.

Second, applicant argues that the serious burden requirement is not satisfied because the examiner has not set forth any particular evidence in the record supporting the conclusion of a serious burden based on different searches. Examiner directs applicant to MPEP 803 (section "II. Guidelines"):

[...] For purposes of the initial requirement, a serious burden on the examiner may be *prima facie* shown by appropriate explanation of separate classification, or separate status in the art, or a different field of search as defined in MPEP § 808.02. *That prima facie showing may be rebutted by appropriate showings or evidence by the applicant.* Insofar as the criteria for restriction practice relating to Markush-type claims is concerned, the criteria is set forth in MPEP § 803.02. Insofar as the criteria for restriction or election practice relating to claims to genus-species, see MPEP § 806.04 - § 806.04(i) and § 808.01(a).

Hence, the examiner does not need to set forth any particular evidence to satisfy the serious burden requirement.

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 24, 26-32, and 35-38, are rejected under 35 U.S.C. 102(e) as being anticipated by US Pub. No. 20030117499 filed by Bianchi et al., hereinafter "Bianchi".**

Regarding **claim 24**, Bianchi discloses an apparatus, comprising:

a video/audio data recorder/reproducer (*refer to [0024], [0026]-[0032], [0041]-[0045], [0049]-[0052] and Figure 1, "digital still camera 18"*) comprising:

a controller (*while a controller is not specifically mentioned in the digital still camera disclosed by Bianchi, it is inherent that a digital still camera which captures, stores, displays images as disclosed by Bianchi has a control circuit, such as a microprocessor or a central processing unit*) to control processing by **at least two** various function units as a digital camcorder, a digital still camera (*refer to [0026]: "picture taking mode"; also refer to [0027]-[0032]*), a video recorder/reproducer (*refer to*

[0026]: “review mode”; also refer to [0032]), a data storage (refer to [0034]: “memory card”), an MP3 player and a voice recorder (refer to [0028]: “playing an audio clip”).

Regarding **claim 26**, refer to the rejection of claim 24 and Bianchi further discloses a station (refer to [0028] and Figure 1, “docking station 14”) to communicatively support the video/audio data recorder/reproducer and to provide one or more transmission/reception terminals (refer to [0033], “A/V port”) allowing data transmission/reception between the video/audio data recorder/reproducer and an external device via the station (refer to [0033] and Figure 1).

Regarding **claim 27**, refer to the rejection of claim 26 and Bianchi further discloses that the station and the video/audio data recorder/reproducer communicatively connect via a connection terminal in the station and the video/audio data recorder/reproducer, respectively (refer to [0026] and Figure 1, “electrical contacts 24” and “mating electrical contacts 28”).

Regarding **claim 28**, refer to the rejection of claim 26 and Bianchi further discloses that the station comprises one or more function manipulators controlling the function units while the video/audio data recorder/reproducer sits on the station (refer to [0040], [0044], [0057] and Figure 1: docking station comprises a remote control).

Regarding **claim 29**, refer to the rejection of claim 26 and Bianchi further discloses that the video/audio data recorder/reproducer further comprises a battery (*refer to [0034], [0041]-[0043] and Figure 2, "batteries 271"*), and

the station further comprises a charger to charge the battery from an external power supply while the video/audio data recorder/reproducer sits on the station (*refer to [0040], [0043] and Figure 2*).

Regarding **claim 30**, refer to the rejection of claim 26 and Bianchi further discloses a battery receiving area to receive a battery (*refer to [0026] and Figure 1, "electrical contracts 24" receive camera 18 which has "batteries 271", [0034], [0041]-[0043] and Figure 2*); and

a charger to charge the battery from an external power supply while the battery is in the receiving area of the station (*refer to [0040], [0043] and Figure 2*).

Regarding **claim 31**, refer to the rejection of claim 26 and Bianchi further discloses that the station comprises a Universal Serial Bus, an SVHS, an AV, or a video line input, or any combinations thereof, as the one or more transmission/reception terminals (*refer to [0033] and Figure 1, "A/V port" and "A/V cable"*).

Regarding **claim 32**, refer to the rejection of claim 26 and Bianchi further discloses wherein the video/audio data recorder/reproducer further comprises: a camera unit; and a battery compartment positioned perpendicularly to the camera unit

(refer to Figure 2 and without a reference plane, any part of the battery compartment could be either in parallel or perpendicular with the camera unit).

Regarding **claim 35**, refer to the rejection of claim 26 and Bianchi further discloses that the video/audio data recorder/reproducer further comprises:

a display unit (*refer to [0032]*); and

one or more transceiver terminals to communicably connect with an external device (*refer to [0026] and Figure 1, "mating electrical contacts 28" to connect to docking station 14; also refer to [0034], digital camera can include a computer port, e.g. USB*),

wherein the station communicatively supports the video/audio data recorder/reproducer to expose the display unit and the one or more transceiver terminals (*refer to [0026] and Figure 1: when the camera is docked it is in picture review mode; also refer to [0056]*).

Regarding **claim 36**, refer to the rejection of claim 26 and Bianchi further discloses that the video/audio data recorder/reproducer further comprises one or more function manipulators (*refer to [0027]-[0032]*), and

wherein the station comprises one or more function manipulators corresponding to the recorder/reproducer function manipulators while the video/audio data recorder/reproducer sits on the station (*refer to [0040], [0044], [0057] and Figure 1: docking station comprises a remote control*).



Regarding **claim 37**, refer to the rejection of claim 35 and Bianchi further discloses display unit comprises one or more function manipulators (*refer to [0032]*) and the display unit is rotatable to be exposed, including the function manipulators, while the video/audio data recorder/reproducer sits on the station (*when docked, the station and camera may be rotated together, therefore the display may be rotated, to be exposed... claim does not require display to rotate away from a "body"*).

Regarding **claim 38**, refer to the rejections of claims 36 and 37 and Bianchi further discloses that the station further comprises a sloped receiving area to angle the supported video/audio data recorder/reproducer to enable easy viewing and manipulation of the display unit of the video/audio data recorder/reproducer (*refer to Figure 1*).

**6. Claims 41, 42, 44/41 and 44/42 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 7,046,276 issued to Hashimoto et al., hereinafter "Hashimoto".**

Regarding **claim 41**, Hashimoto discloses a controller (*as claimed, the "controller" can as a specific circuit within the digital camera (such as "CPU", refer to c. 8, l. 47 - c. 9, l. 16) or the entire digital camera itself (refer to Figures 1A-B)) to control processing of function units as an audio (audio capture, refer to c. 3, l. 56, c. 6, ll. 16-38, c. 7, ll. 20-21), video (video capture, refer to c. 3, ll. 57, c. 6, ll. 60-67, c. 7, ll. 20-23), or*

still image (*still image capture, refer to c. 6, ll. 60-67, c. 7, ll. 20-23*), or any combinations thereof, reproducer (*refer to c. 3, ll. 61-64, "play mode"*), and a data storage (*refer to c. 7, ll. 32-34*).

Regarding **claim 42**, refer to the rejection of claim 41 and Hashimoto further discloses that the audio reproducer reproduces MP3 audio data (*"MPEG-2 audio" as well as other formats; refer to c. 6, ll. 26-29*), the video reproducer reproduces MPEG video data and the still image reproducer reproduces JPEG image data (*as well as other formats; refer to c. 6, ll. 60-67*).

Regarding **claims 44/41 and 44/42**, refer to the rejection of claim 41 and Hashimoto further discloses a first housing (*Figure 1, top or bottom*); a second housing in a parallel relation facing the receiving area of the first housing (*Figure 1, bottom or top*); and

a middle housing having one or more operational manipulators to control the controller and supported in between the first and second housings (*Figure 1B, middle part*).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**8. Claims 1-6, 23 45, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 7,046,276 issued to Hashimoto et al., hereinafter "Hashimoto", in view of US Pub. No. 2001/0033333 filed by Suzuki et al., hereinafter "Suzuki".**

Regarding **claim 1**, Hashimoto discloses a video/audio data recording/reproducing apparatus, comprising:

a single chip controller (*refer to c. 8, l. 47 - c. 9, l. 16, "CPU"*) controlling processing by at **least two various** function units as a digital camcorder (*video capture, refer to c. 3, ll. 57, c. 6, ll. 60-67, c. 7, ll. 20-23*), a digital still camera (*still image capture, refer to c. 6, ll. 60-67, c. 7, ll. 20-23*), a video recorder/reproducer (*refer to c. 3, ll. 61-64, "record mode or play mode"*), a data storage (*refer to c. 7, ll. 32-34*), an MP3 player and a voice recorder (*audio capture, refer to c. 3, l. 56, c. 6, ll. 16-38, c. 7, ll. 20-21*); and

a memory device (memory card) as a main data recording medium storing data of the various function units (*refer to c. 7, ll. 32-34 & Figure 8, "16"*).

However, Hashimoto does not disclose that the memory device is a micro-compact hard disc drive.

Suzuki discloses a video/audio data recording/reproducing apparatus (electronic camera) capable of obtaining moving image data and still image data (*refer to [0003]*) comprising a memory (*refer to [0136] & Figure 2, "Storage Medium 195"*). Suzuki discloses that there are numerous varieties of memory devices that are acceptable, including a memory card or a hard disc (*refer to [0136]*). Therefore, it would have been

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obvious to a person having ordinary skill in the art at the time the invention was made to use a hard disc as a memory device as disclosed by Suzuki in the video/audio data recording/reproducing apparatus disclosed by Hasahimoto because (1) Suzuki demonstrates that memory cards and hard discs can accomplish the same tasks in electronic cameras and (2) hard discs are notoriously well-known memory devices.

Regarding **claim 2**, refer to the rejection of claim 1 and Hashimoto further discloses a system bus (*refer to c. 9, ll. 12-16*);

a multiplexer/system resource controller in communication with the system bus and outputting image signals (*refer to c. 9, ll. 12-16*);

a motion picture experts group compressor/decompressor in communication with the system bus and compressing/decompressing data of the function units (*refer to c. 6, ll. 60-67*);

a data recording medium interface in communication with the system bus and reading/writing data from/to a memory unit and the micro-compact hard disc drive (*refer to c. 7, ll. 2-12*);

a serial bus interface in communication with the system bus and receiving/transmitting the data of the function units (*refer to c. 9, ll. 12-16*);

a video processor in communication with the system bus and processing image signals input through the digital camcorder and still camera function units or input through an input terminal (*refer to c. 6, ll. 60-67 and c. 7, ll. 32-41*);

an audio encoder/decoder in communication with the system bus and processing input/output audio signals for the MP3 player and the voice recorder (*refer to c. 6, ll. 16-38*); and

a central processing unit controlling the controller via the system bus (*refer to c. 8, l. 47 – c. 9, l. 16*).

However, Hashimoto does not explicitly disclose that the serial interface is a USB interface or that the MPEG compressor/decompressor is MPEG-4.

However, Hashimoto does not disclose that the serial terminal is a USB terminal.

While Hashimoto does not explicitly disclose that the interface is a USB interface, Official Notice is taken that a USB interface is a notoriously well-known serial interface in the art of digital cameras. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a USB interface as is well known in the art for the interface disclosed by Hashimoto because USB is a widely accepted and used interface standard.

Similarly, While Hashimoto does not explicitly disclose that the MPEG compressor/decompressor is MPEG-4, Official Notice is taken that MPEG compressor/decompressor is MPEG-4 is a notoriously well-known format in the art of digital cameras. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use MPEG-4 as is well known in the art for the interface disclosed by Hashimoto because MPEG-4 is a widely accepted and used interface standard.

Regarding **claim 3**, refer to the rejection of claim 1 and Hashimoto further discloses a mode shifting switch selecting the function units (*refer to c. 3, ll. 55-58*).

Regarding **claim 4**, refer to the rejection of claim 1 and Hashimoto further discloses a transient integrated circuit interfacing the memory device with the controller (*refer to c. 7, ll. 2-12 and Figure 8, "interface circuit 14"*).

Regarding **claim 5**, refer to the rejection of claim 1 and Hashimoto further discloses a body including the single chip controller and the memory device (*refer to Figures 1A-B*); and

a station communicatively receiving the body and providing one or more transmission/reception terminals allowing data transmission/reception between the body and external computing devices (*refer to c. 4, ll. 48-67 and Figures 2A-C, interfaces "188" and "184"*).

Regarding **claim 6**, refer to the rejection of claim 5 and Hashimoto further discloses that the station and the body are communicatively connected via a connection terminal in the station and the body, respectively (*refer to c. 4, ll. 11-67 and Figures 1A-B, "electrical contacts 158" on the camera and Figures 2A-C, "pins 192" on the station*).

Regarding **claim 23**, refer to the rejection of claim 5 and Hashimoto further discloses that the at least one transmission/reception terminal provided on the station is a serial bus (RS-232) terminal.

However, Hashimoto does not disclose that the serial terminal is a USB terminal.

While Hashimoto does not explicitly disclose that the interface is a USB interface, Official Notice is taken that a USB interface is a notoriously well-known serial interface in the art of digital cameras. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a USB interface as is well known in the art for the interface disclosed by Hashimoto because USB is a widely accepted and used interface standard.

Regarding **claim 45**, Hashimoto discloses that required limitations of claim 44. Hashimoto further discloses that the controller is implemented on a circuit board (inherent that the CPU chip is put on some sort of circuit board). Hashimoto further discloses that the first housing comprises a receiving area to face inside the apparatus and to accommodate the memory (*refer to Figure 1, slot 160*). However, Hashimoto does not disclose that the memory device is a micro-compact hard disc drive.

Suzuki discloses a video/audio data recording/reproducing apparatus (electronic camera) capable of obtaining moving image data and still image data (*refer to [0003]*) comprising a memory (*refer to [0136] & Figure 2, "Storage Medium 195"*). Suzuki discloses that there are numerous varieties of memory devices that are acceptable, including a memory card or a hard disc (*refer to [0136]*). Therefore, it would have been

obvious to a person having ordinary skill in the art at the time the invention was made to use a hard disc as a memory device as disclosed by Suzuki in the video/audio data recording/reproducing apparatus disclosed by Hashimoto because (1) Suzuki demonstrates that memory cards and hard discs can accomplish the same tasks in electronic cameras and (2) hard discs are notoriously well-known memory devices.

Regarding **claim 46**, refer to the rejection of claim 45 and Hashimoto further discloses a liquid crystal display (LCD) monitor provided on the first housing and facing away from the receiving area and positioned in a parallel plane to the micro-compact hard disk drive (*refer to c. 3, ll. 58-61 and Figures 1A-B*).

**9. Claims 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto in view of Suzuki in further view of Bianchi.**

Regarding **claim 7**, Hashimoto in view of Suzuki discloses the video/audio data recording/reproducing apparatus required by claim 1. Hashimoto further discloses a (docking) station that communicatively receives the video/audio data recording/reproducing apparatus (*refer to the rejection of claim 5*). However, Hashimoto in view of Suzuki does not disclose that the station comprises one or more manipulation buttons controlling the function units while the body is seated on the station.

Bianchi discloses a video/audio data recorder/reproducer [camera] (*refer to [0024], [0026]-[0032], [0041]-[0045], [0049]-[0052] and Figure 1, "digital still camera 18"*) communicatively coupled to a docking station (*refer to [0028] and Figure 1, "docking*



*station 14*") wherein the docking station comprises one or more manipulation buttons controlling the function units while the body is seated on the station (*refer to [0040], [0044], [0057] and Figure 1: docking station comprises a remote control*). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to allow manipulation of buttons to control the function units of the camera (i.e. the video/audio data recorder/reproducer) as disclosed by Bianchi in the station disclosed by Hashimoto in view of Suzuki in order to access the functions of the camera (*Bianchi, [0057]*), e.g. review pictures in picture review mode (*Bianchi, [0026]*).

Regarding **claim 8**, refer to the rejection of claim 5 and Bianchi further discloses that the camera (body) comprises a battery (*refer to [0034], [0041]-[0043] and Figure 2, "batteries 271"*) and the station recharges the batter from an external power supply while the body is seated on the station (*refer to [0040], [0043] and Figure 2*).

Regarding **claim 9**, refer to the rejection of claim 5 and Bianchi further discloses that the station comprises a USB, an SVHS, an AV, or a video line input, or any combinations thereof, as the transmission/reception terminals (*refer to [0033] and Figure 1, "A/V port" and "A/V cable"*).

Regarding **claim 10**, refer to the rejection of claim 5 and Bianchi further discloses that the station comprises a signal reception unit receiving operations signals from a remote controller to control the function units while the body is seated on the station

*(refer to [0040], [0044], [0057] and Figure 1, "IR receiver 44" and "IR remote control 46").*

Regarding **claim 11**, refer to the rejection of claim 5 and Hashimoto further discloses a removable storage wherein the body further comprises a window to check the removable storage connection *(refer to c. 4, ll. 19-21 and Figure 1B, "slot 160")*.

Regarding **claim 12**, refer to the rejection of claim 1 and Hashimoto further discloses a video line input, wherein the controller receives image signals from the video line input, digitizes and compresses the image signals and stores the image signals in the memory device, thereby providing a video recorder as one of the various function units *(refer to c. 6, l. 39 - c. 7, l. 49)*.

Regarding **claim 13**, refer to the rejection of claim 12 and Hashimoto further discloses a display unit displaying an image, wherein the controller reads the image signals from the memory device, decompresses the read image signals and outputs the decompressed image signals to the display unit for displaying, thereby providing a video reproducer as another function unit *(refer to c. 6, l. 39 - c. 7, l. 49)*.

**10. Claims 25 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bianchi in view of Suzuki.**

Regarding **claim 25**, Bianchi discloses the video/audio data recorder/reproducer required by claim 24. However, Bianchi does not disclose a micro-compact hard disc drive as a main data recording medium to store data of the various function units.

Suzuki discloses a video/audio data recording/reproducing apparatus (electronic camera) capable of obtaining moving image data and still image data (refer to [0003]) comprising a memory (*refer to [0136] & Figure 2, "Storage Medium 195"*). Suzuki discloses that there are numerous varieties of memory devices that are acceptable, including a memory card or a hard disc (*refer to [0136]*). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a hard disc as a memory device as disclosed by Suzuki in the video/audio data recording/reproducing apparatus disclosed by Bianchi because (1) Suzuki demonstrates that memory cards and hard discs can accomplish the same tasks in electronic cameras and (2) hard discs are notoriously well-known memory devices.

Regarding **claim 39**, refer to the rejection of claim 25 and Bianchi further discloses a display (*refer to [0032] and Figure 1*) and a battery (*refer to [0035] and Figure 2*), wherein the display, the storage medium and the battery are all in a parallel relation to each other (*without further description of a reference plane or orientation, it can be said that some part of the display, storage medium and battery are all in parallel on some plane*).

**11. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bianchi in view of US Patent No. 7,317,475 issued to Arai et al., hereinafter "Arai".**

Regarding **claim 33**, Bianchi discloses the required limitations of claim 33. Bianchi further discloses a zoom function (*refer to [0028]*). However, Bianchi does not disclose that the zoom controller is manipulated by sliding a circular-arc.

Arai discloses a camera with a zoom function wherein the zoom controller is manipulated by sliding a circular-arc (refer to Figure 18). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to control zoom by manipulating a circular-arc as disclosed by Arai in the system disclosed by Bianchi because rotational "dial" type switches are common as manipulating devices in electronic devices.

Regarding **claim 34**, refer to the rejection of claim 33 and Bianchi discloses that the camera zoom button is positioned parallel or perpendicular to the camera unit because parallel or perpendicular is describing all possible orientations.

**12. Claims 40, 43, 44/43, 47-49, 52, 57 and 58/40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto.**

Regarding **claim 40**, Hashimoto discloses an apparatus comprising:

a programmable controller (*refer to c. 8, l. 47 - c. 9, l. 16, "CPU"*) to control processing by various function units as a digital camcorder (*video capture, refer to c. 3, ll. 57, c. 6, ll. 60-67, c. 7, ll. 20-23*), a digital still camera (*still image capture, refer to c. 6, ll. 60-67, c. 7, ll. 20-23*), a video recorder/reproducer (*refer to c. 3, ll. 61-64, "record mode or play mode"*), a data storage (*refer to c. 7, ll. 32-34*), an MP3 player, or voice recorder (*audio, refer to c. 3, l. 56, c. 6, ll. 16-38, c. 7, ll. 20-21*), or any combinations thereof; and

a station (*refer to c. 4, ll. 48-67 and Figures 2A-C*) to communicatively support the programmable controller and comprising:

one or more transmission/reception terminals to enable data transmission/reception between the programmable controller and an external device through the station (*refer to c. 4, ll. 48-61*).

wherein at least one of the transmission/reception terminals is a serial (RS-232) terminal.

However, Hashimoto does not disclose that the serial terminal is a USB terminal.

While Hashimoto does not explicitly disclose that the interface is a USB interface, Official Notice is taken that a USB interface is a notoriously well-known serial interface in the art of digital cameras. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a USB interface as is well known in the art for the interface disclosed by Hashimoto because USB is a widely accepted and used interface standard.

Regarding **claim 43**, refer to the rejection of claim 41 and Hashimoto further discloses that the controller comprises:

a TV signal encoder to convert a data signal into a video signal according to the NTSC (National television system committee) scheme or the PAL (Phase alternation line) scheme for an external device via an output terminal (*refer to c. 7, ll. 38-41 and Figure 8, "11"*),

a MPEG decoder to decode MPEG video data (*refer to c. 6, ll. 60-67 and Figure 8, "12"*), an audio interface to produce MP3 audio data (*refer to c. 6, ll. 16-38 and Figure 8, "3"*), an interface to transceive data (*refer to c. 4, ll. 44-47 and Figure 1B, "162"; or c. 7, ll. 2-12, serial interface*), and a storage medium to store data (*refer to Figure 8, "16"*).

While Hashimoto does not explicitly disclose that the interface is a USB interface, Official Notice is taken that a USB interface is a notoriously well-known serial interface in the art of digital cameras. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a USB interface as is well known in the art for the interface disclosed by Hashimoto because USB is a widely accepted and used interface standard.

Regarding **claim 44/43**, refer to the rejection of claim 43 and Hashimoto further discloses a first housing (*Figure 1, top*); a second housing in a parallel relation facing the receiving area of the first housing (*Figure 1, bottom*); and

a middle housing having one or more operational manipulators to control the controller and supported in between the first and second housings (*Figure 1B, middle part*).

Regarding **claim 47**, refer to the rejection of claim 43 and Hashimoto further discloses a station to communicatively support the controller to provide one or more transmission/reception terminals allowing data transmission/reception between the controller and an external device via the station (*refer to c. 4, ll. 48-67 and Figures 2A-C, interfaces "188" and "184"*).

Regarding **claim 48**, refer to the rejection of claim 43 and Hashimoto further discloses that the controller further comprises one or more function manipulators and the station comprises one or more function manipulators corresponding to the controller function manipulators while the controller sits on the station (*refer to c. 4, ll. 11-67 and Figures 1A-B, "electrical contacts 158" on the camera and Figures 2A-C, "pins 192" on the station*).

Regarding **claim 49**, refer to the rejection of claim 47 and Hashimoto further discloses that the station comprises one or more function manipulators controlling the function units while the controller sits on the station (*Figures 2A-C, "pins 192" on the station*).

Regarding **claim 52**, refer to the rejection of claim 47 and Hashimoto further discloses that the station further comprises a Universal Serial Bus, an SVHS, an AV, or a video line input, or any combinations thereof, as the one or more transmission/reception terminals (*refer to c. 4, ll. 48-61*).

Regarding **claim 57**, refer to the rejection of claim 43 and Hashimoto further discloses that the storage medium is a flash memory (*refer to c. 7, ll. 9 and Figure 8, "16"*).

Regarding **claim 58/40**, refer to the rejection of claim 40 and Hashimoto further discloses that the controller comprises:

a TV signal encoder to convert a data signal into a video signal according to the NTSC (National television system committee) scheme or the PAL (Phase alternation line) scheme for an external device via an output terminal (*refer to c. 7, ll. 38-41 and Figure 8, "11"*),

a MPEG decoder to decode MPEG video data (*refer to c. 6, ll. 60-67 and Figure 8, "12"*), an audio interface to produce MP3 audio data (*refer to c. 6, ll. 16-38 and Figure 8, "3"*), an interface to transceive data (*refer to c. 4, ll. 44-47 and Figure 1B, "162"; or c. 7, ll. 2-12, serial interface*), and a storage medium to store data comprising a flash memory (*refer to Figure 8, "16"*).



**13. Claims 50, 51 and 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto in view of Bianchi.**

Regarding **claim 50**, Hashimoto discloses the controller and station required by claim 47. However, Hashimoto does not disclose a battery, wherein the station further comprises a charger to charge the battery from an external power supply while the controller sits on the station.

Bianchi discloses a "controller" or digital camera (*refer to [0024], [0026]-[0032], [0041]-[0045], [0049]-[0052] and Figure 1, "digital still camera 18"*) communicatively coupled to a docking station (*refer to [0028] and Figure 1, "docking station 14"*), the digital camera comprising transceiver terminals (*refer to [0034]*). Bianchi further discloses a battery, wherein the station further comprises a charger to charge the battery from an external power supply while the controller sits on the station (*refer to [0034], [0041]-[0043] and Figure 2, "batteries 271"; refer to [0040], [0043] and Figure 2 for charging*). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to charge the camera's batteries while docked as disclosed by Bianchi in the system disclosed by Hashimoto in order to provide power to the camera.

Regarding **claim 51**, Hashimoto discloses the controller and station required by claim 47. However, Hashimoto does not disclose a battery receiving area to receive the battery; and a charger to charge the battery from an external power supply while the battery is in the receiving area of the station.

Bianchi discloses a "controller" or digital camera (*refer to [0024], [0026]-[0032], [0041]-[0045], [0049]-[0052] and Figure 1, "digital still camera 18"*) communicatively coupled to a docking station (*refer to [0028] and Figure 1, "docking station 14"*), the digital camera comprising transceiver terminals (*refer to [0034]*). Bianchi further discloses a battery receiving area to receive the battery (*refer to [0026] and Figure 1, "electrical contracts 24" receive camera 18 which has "batteries 271", [0034], [0041]-[0043] and Figure 2*) and a charger to charge the battery from an external power supply while the battery is in the receiving area of the station (*refer to [0040], [0043] and Figure 2*). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to charge the camera's batteries while docked as disclosed by Bianchi in the system disclosed by Hashimoto in order to provide power to the camera.

Regarding **claim 53**, Hashimoto discloses the controller and station required by claim 47. Hashimoto further discloses that the controller further comprises one or more transceiver terminals (*refer to c. 4, ll. 44-47*). However, Hashimoto does not disclose a display (integrated with the controller) and that the station communicatively supports the controller to expose the display including the one or more transceiver terminals.

Bianchi discloses a "controller" or digital camera (*refer to [0024], [0026]-[0032], [0041]-[0045], [0049]-[0052] and Figure 1, "digital still camera 18"*) communicatively coupled to a docking station (*refer to [0028] and Figure 1, "docking station 14"*), the digital camera comprising transceiver terminals (*refer to [0034]*). Bianchi further

discloses a display (*refer to [0032]*) wherein the station communicatively supports the controller to expose the display including the one or more transceiver terminals (*refer to [0026], "picture review mode" and Figure 1*). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have a display that is exposed when the "controller" or camera is docked as disclosed by Bianchi in the system disclosed by Hashimoto in order to review pictures while the camera is docked via the camera's display.

Regarding **claim 54**, refer to the rejection of claim 53 and Bianchi further discloses that the display comprises one or more function manipulators (*refer to [0032]*) and the display is rotatable to be exposed, including the function manipulators, while the controller sits on the station (*when docked, the station and camera may be rotated together, therefore the display may be rotated, to be exposed... claim does not require display to rotate away from a "body"*).

Regarding **claim 55**, refer to the rejections of claims 47 and 53 and Bianchi further discloses that the station further comprises a sloped receiving area to angle the supported controller to enable easy viewing and manipulation of the display of the controller (*refer to Figure 1*).

Regarding **claim 56**, refer to the rejection of claim 43 and Bianchi further discloses a display (*refer to [0032] and Figure 1*) and a battery (*refer to [0035] and*

*Figure 2), wherein the display, the storage medium and the battery are all in a parallel relation to each other (without further description of a reference plane or orientation, it can be said that some part of the display, storage medium and battery are all in parallel on some plane).*

**14. Claim 58/24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bianchi in view of Hashimoto.**

Regarding **claim 58/24**, Bianchi discloses the video/audio data recorder/reproducer required by claim 24. However, Bianchi does not disclose the specific data formats required by claim 58.

Hashimoto also discloses a video/audio data recorder/reproducer required by claim 24 (see, for example, the rejection of claim 1). Hashimoto further discloses the specific data formats required by claim 58/24 (see the rejection of claim 58/40).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to support the formats disclosed by Hashimoto in the video/audio data recorder/reproducer disclosed by Bianchi because the formats are industry standards and well known in the art.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD M. BEMBEN whose telephone number is (571)272-7634. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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